

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

D. G. SWEIGERT,

Plaintiff,

- against -

JASON GOODMAN, ET AL.,

Defendants.

23-cv-5875 (JGK)

23-cv-6881 (JGK)

MEMORANDUM OPINION AND
ORDER

JOHN G. KOELTL, District Judge:

D. G. Sweigert ("the plaintiff") has filed a motion for reconsideration of this Court's Order extending the time for the defendant to reply in support of the defendant's motion to dismiss, No. 23-cv-5875, ECF No. 158 (the "Order"). See Plaintiff's Motion for Reconsideration of Order, ECF No. 163.

"The decision to grant or deny a motion for reconsideration rests within the sound discretion of the district court." Vincent v. Money Store, 2011 WL 5977812, at *1 (S.D.N.Y. Nov. 29, 2011) (internal quotation marks omitted). "Reconsideration of a previous order by the Court is an extraordinary remedy to be employed sparingly." Anwar v. Fairfield Greenwich Ltd., 800 F. Supp. 2d 571, 572 (S.D.N.Y. 2011) (internal quotation marks omitted). "The major grounds justifying reconsideration are an intervening change of controlling law, the availability of new evidence, or the need to correct a clear error or prevent manifest injustice." Virgin Atl. Airways, Ltd. v. Nat'l Mediation Bd., 956 F.2d 1245, 1255 (2d Cir. 1992) (internal quotation marks omitted); see also Ortega v. Mutt, 2017 WL 1968296, at *1 (S.D.N.Y. May 11, 2017).

The plaintiff presents no proper basis for reconsidering the Order. The plaintiff points out that he sent a letter to the Clerk of Court which was never docketed despite the clerk's confirming receipt. ECF No. 163, at 2. In any event, the letter is docketed now. See ECF No. 163, Ex. 1.

Accordingly, the plaintiff's motion for reconsideration is **denied**. The Clerk is directed to close No. 23-cv-5875, ECF No. 163.

The time for the defendant to reply in support of the defendant's motion to dismiss, ECF No. 145, remains **September 3, 2024**. The parties should direct any requests for other relief to Magistrate Judge Figueredo.

SO ORDERED.

**Dated: New York, New York
August 14, 2024**

/s/ John G. Koeltl

**John G. Koeltl
United States District Judge**